

IN THE UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF OHIO

VIENNA INVESTMENTS, LLC)
)
Plaintiff,)
)
v.)
)
MI DEVELOPMENTS (AMERICA),)
INC., et al.)
)
Defendants.)

CASE NO. 4:11-CV-01204
JUDGE DAVID D. DOWD, JR.
**INITIAL DISCLOSURES BY
DEFENDANT, MAGNA SEATING OF
AMERICA, INC. (F.R.C.P. 26(a)(1))**

Pursuant to Rule 26(a)(1) of the Federal Rules of Civil Procedure, the Defendant, Magna Seating of America, Inc., makes the following Initial Disclosures:

(1) **Discoverable Information.** The following are persons who are likely to have information that this Defendant may use to support its claims or defenses in this case:

- (a) Mark P. Dunn, 39600 Lewis Drive, Novi, MI 48377;
- (b) Simon Kew, 39600 Lewis Drive, Novi, MI 48377;
- (c) David Forster, 337 Magna Drive, Ontario, Canada L4G 7K1;
- (d) Ian Pilcher, 12800 Oakland Park Blvd., Highland Park, MI 48203;
- (e) Glen Copeland, 39600 Lewis Drive, Novi, MI 48377;
- (f) Any witnesses listed by the Plaintiff;
- (g) Any witnesses listed by Defendant, MI Developments (America), Inc.; and
- (h) Any witnesses identified during discovery.

The Defendant's investigation and discovery concerning this case is continuing and if additional information is obtained after the date of these disclosures, Defendant will supplement these disclosures according to Rule 26(e) of the Federal Rules of Civil Procedure.

(2) **Documents.** The following are categories of documents which are in the possession of the Defendant which Defendant may use to support its claims or defenses in this case: contracts, agreements, and communications. The Defendant's investigation and discovery concerning this case is continuing and if additional information is obtained after the date of these disclosures, Defendant will supplement these disclosures according to Rule 26(e) of the Federal Rules of Civil Procedure.

(3) **Damages.** The Defendant has not suffered any damages.

(4) **Insurance Agreements.** There are no insurance agreements at issue in this case.

DATED this 9th day of August, 2011.

Respectfully submitted,

/s/ Peter B. Grinstein

Peter B. Grinstein, Esq. (#0029030)

Kevin L. Bradford, Esq. (#0080225)

NADLER, NADLER & BURDMAN CO., L.P.A.

20 West Federal Street, Suite 600

Youngstown, OH 44503-1423

Telephone No.: (330) 744-0247

Fax No.: (330) 744-8690

E-mail: pbg@nnblaw.com and

klbradford@nnblaw.com

Attorneys for Defendant,

Magna Seating of America, Inc.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that on August 9, 2011, a copy of the foregoing **Initial Disclosures by Defendant, Magna Seating of America, Inc.** was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt. All other parties will be served by regular U. S. mail. Parties may access this filing through the Court's system.

/s/ Peter B. Grinstein

Peter B. Grinstein, Esq. (#0029030)

NADLER, NADLER & BURDMAN CO., L.P.A.

Attorney for Defendant,

Magna Seating of America, Inc.

LAW OFFICES OF NADLER NADLER & BURDMAN CO., L.P.A.

8/9/2011 C:\Documents and Settings\Sharon\My Documents\PBG\Magna\Magna-Vienna-Initial Disclosures.doc